AMENDMENT NO._______ Calendar No._____

Purpose: To improve the bill.


H. R. 2471

To amend section 2710 of title 18, United States Code, to clarify that a video tape service provider may obtain a consumer's informed, written consent on an ongoing basis and that consent may be obtained through the Internet.

Referred to the Committee on ________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Mr. LEAHY

Viz:

1 On page 3, line 24, insert “only” before “if”.

2 On page 4, line 4, strike “3 days” and insert “10 business days”.

4 On page 5, line 18, strike “SUBPOENAS” and insert “INFORMATION TO BE DISCLOSED”.

6 On page 5, line 21, strike “statute or” and insert “statute,”.
On page 5, line 22, strike “or” and insert a comma.

On page 5, line 22, strike “subpoena” and insert “, or civil discovery subpoena, or any means authorized under paragraph (1)”.

On page 7, lines 10 and 11, strike “90 days” and insert “180 days”.

On page 8, line 2, strike “90 days” and insert “180 days”.

On page 9, line 18, strike “90 days” and insert “180 days”.

On page 10, strike line 10 and insert the following: not more than 180 days.

“(4) PRIOR NOTICE TO LAW ENFORCEMENT.—
Upon expiration of the period of delay of notice under this section, and not later than 3 business days before providing notice to a customer or subscriber, a provider of electronic communications service or remote computing service shall notify the governmental entity that obtained the contents of a communication or information or records under sec-
tion 2703 of the intent of the provider of electronic communications service or remote computing service to notify the customer or subscriber of the existence of the warrant, order, or subpoena seeking that information.”.

SEC. 205. RULE OF CONSTRUCTION.

Nothing in this title or an amendment made by this title shall be construed to apply the warrant requirement for contents of a wire or electronic communication authorized under this title or an amendment made by this title to any other section of title 18, United States Code (including chapter 119 of such title (commonly known as the ‘‘Wiretap Act’’)), the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), or any other provision of Federal law.